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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/657,977	09/09/2003	Allan Todd Berry	40,730	1304

7590

08/14/2006

Joseph G. Mitchell, Esq.  
4521 Derby Lane  
Smyrna, GA 30082

EXAMINER

ART UNIT

PAPER NUMBER

DATE MAILED: 08/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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EXAMINER
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ART UNIT	PAPER
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20060810

DATE MAILED:

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Commissioner for Patents

Art Unit: 3643

***Defective Appeal Brief***

NOTIFICATION OF NON-COMPLIANCE WITH THE REQUIREMENTS OF 37 CFR  
41.37(c)

The appeal brief filed 6-6-06 does not contain the items of the brief required by 37 CFR 41.37(c)(1)(vi) under the appropriate headings and/or in the order indicated. There is no heading for the Argument section of the brief.

Appellant is required to comply with provisions of 37 CFR 1.192(c).

Appellant should file a substitute appeal brief in compliance with 37 CFR 41.37.

Appellant is required to comply with provisions of 37 CFR 41.37(c). To avoid dismissal of the appeal, Appellant must comply with the provisions of 37 CFR 41.37(c) within ONE MONTH or THIRTY DAYS, whichever is longer, from the mailing of this communication. Extensions of time may be granted under 37 CFR 1.136.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David J. Parsley whose telephone number is (571) 272-6890. The examiner can normally be reached on Monday-Friday from 8am to 4pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 3643

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



David Parsley  
Patent Examiner  
Art Unit 3643



**PETER M. POON**  
**SUPERVISORY PATENT EXAMINER**